



ZONING

Monday, June 11, 2018 - 12 p.m. - 1 p.m.

Learn the fundamentals of the zoning code, what uses are allowed and how to better navigate it.

- What is the purpose of zoning
- Structure of zoning code
- Resources for site specific info

UPCOMING !



<http://city.milwaukee.gov/LunchAndLearn#>.

CITY APPROVALS

Monday, July 23, 2018 - 12 p.m. - 1 p.m.

Learn about City approval processes, timelines, special zoning regulations and how to work with various departments in the permitting process.

- Licensing (bars/taverns/restaurants)
- Health Department
- Historic Districts/ARBS (Area Review Boards)
- City Plan Commission
- BOZA (Board of Zoning Appeals)

OCCUPANCY

Monday, August 20, 2018 - 12 p.m. - 1 p.m.

Learn about some of the challenges to obtaining occupancy permits and how to better work with building and zoning codes in determining occupancy.

- City process
- Types of occupancies
- Proposed uses

BASIC BUILDING CODE

Monday, September 24, 2018 - 12 p.m. - 1 p.m.

Go back to the basics and learn more about code.

- How different uses impact building code requirements
- Broad understanding of new construction and existing buildings

DPW

Monday, October 15, 2018 - 12 p.m. - 1 p.m.

Learn more about how to work with the Department of Public Works to maximize your project outcomes.

- Public right of way concerns
- Permissions and process

Gregory Patin

Strategic Development Manager Department of City Development Planning Section

DCD for Past 14 years

- Long Range Planning projects such as Downtown Plan
- Strategic Projects such as the Lakefront Gateway
- Urban Design, Development Review and Zoning

DNS (former known as Building Inspection) prior 13.5 years

- Plan Examiner in what is now the Development Center
- Became the Specialist on Zoning
- Was a part of the 2002 Zoning Code Recodification Project

- **PURPOSE OF THE ZONING CODE**
- **BACKGROUND AND PROCESS**
- **ZONING DISTRICTS**
- **STRUCTURE OF THE ZONING CODE**
- **ZONING – DESIGN STANDARDS**
- **UNDERSTANDING ZONING CONCEPTS**
- **RESOURCES FOR SITE SPECIFIC INFO**

Big Goals:

- To Protect Property
- To Implement Land Use Plans
- To Follow Planning Principles
- To Regulate Maintenance of Properties

Big Goals:

- To Protect Property of Adjacent Owners and Uses

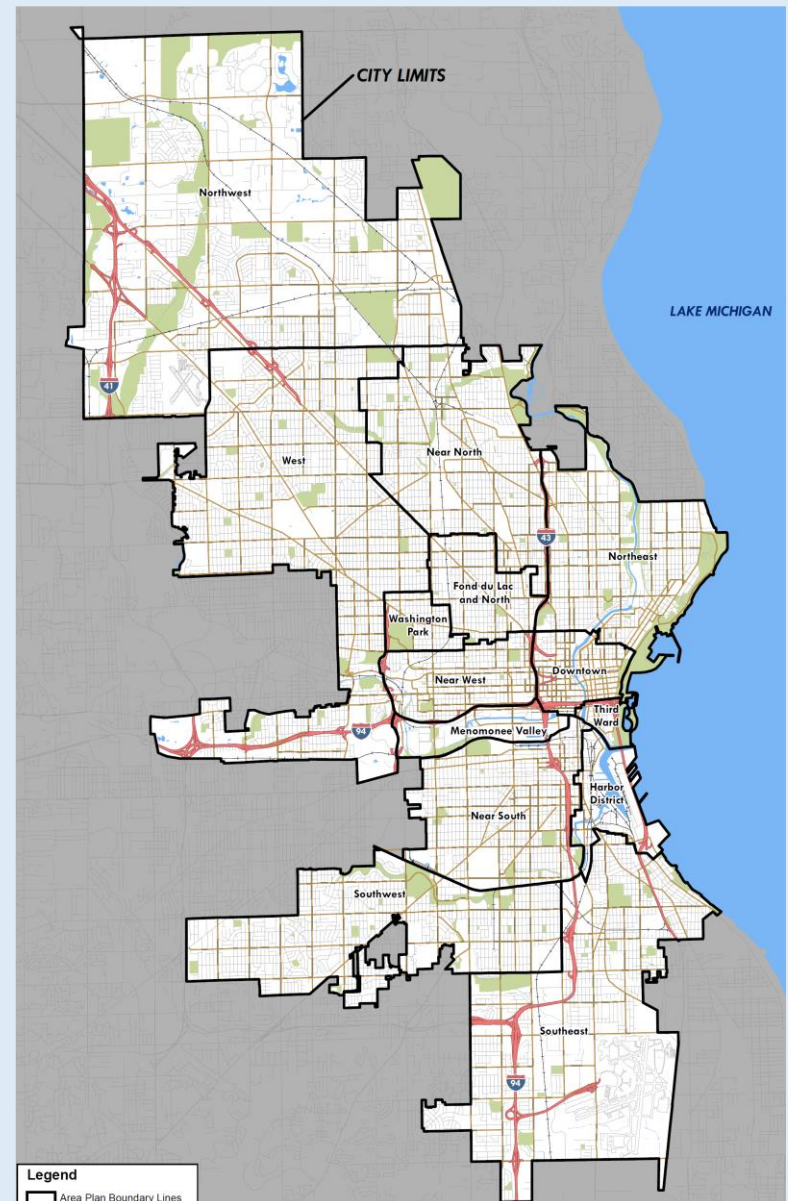
Land Use Compatibility

Contextual Fit

Big Goals:

- To Implement Land Use Plans
- Area Plans are part of the City's Comprehensive Plan
- 14 Area Plans
- Guide future neighborhood development with land use, design, and catalytic project recommendations.

<http://city.milwaukee.gov/AreaPlans>



Big Goals:

- To Follow Planning Principles
 - #1 Neighborhood Compatibility
 - #2 Pedestrian Friendly Design
 - #3 Land Use Diversity
 - #4 Transportation Diversity

<http://city.milwaukee.gov/Designguidelines/Citywide.htm#>

PURPOSE OF THE ZONING CODE

ZONING SUBCHAPTER 1 INTRODUCTION

295-101. Title. This chapter shall be known as the "City of Milwaukee Zoning Code" and may be referred to as the "zoning code." The locations of the districts enumerated in this chapter, and boundaries of such districts, are established as shown on the zoning map located in the office of the city plan commission. The map referred to herein shall be known as the "City of Milwaukee Zoning Map," and may be referred to as the "zoning map".

295-103. Purpose. The purposes of this chapter are to:

1. Promote land uses and development that are consistent with the city's comprehensive plan.
2. Promote and protect the public health, safety and general welfare of the city.
3. Secure safety from fire, overcrowding and other dangers.
4. Maintain and promote safe pedestrian and vehicular circulation.
5. Provide adequate standards for light, air and open space.
6. Further the maintenance of safe and healthful water conditions.
7. Prevent and control erosion, sedimentation and other pollution of surface and subsurface waters.
8. Prevent flood damage to persons and property and minimize expenditures for flood relief and flood control projects.
9. Protect environmentally sensitive areas.
10. Encourage compatibility of adjacent land uses.
11. Maintain a compatible scale of development within an area.
12. Promote sound, attractive development within the city.
13. Classify property in a manner that reflects its suitability for specific uses.
14. Assure adequate provision of urban services, including transportation, water, utilities, sewers, schools, parks and other services.
15. Enhance the streetscape and pedestrian environment.
16. Encourage innovative project design in the city, including developments that incorporate mixed uses.
17. Provide for effective signage that is compatible with the surrounding urban environment.
18. Encourage reinvestment in established urban neighborhoods while protecting their unique characteristics.
19. Conserve historic resources.
20. Promote the construction of affordable housing in the city.
21. Establish procedures to increase citizen awareness of land use activities and their impacts, and to coordinate necessary review processes.
22. Reduce nonpoint source water pollution by minimizing impervious cover on development sites.

22 REASONS FOR AT BEGINNING OF SUBCHAPTER 1 IN THE MILWAUKEE ZONING CODE

WHERE IS IT APPLICABLE ?

DEVELOPMENT ORIENTED:

- USE of PROPERTY
- DEVELOPMENT of PROPERTY
- MAKE CHANGES to a PROPERTY

Also:

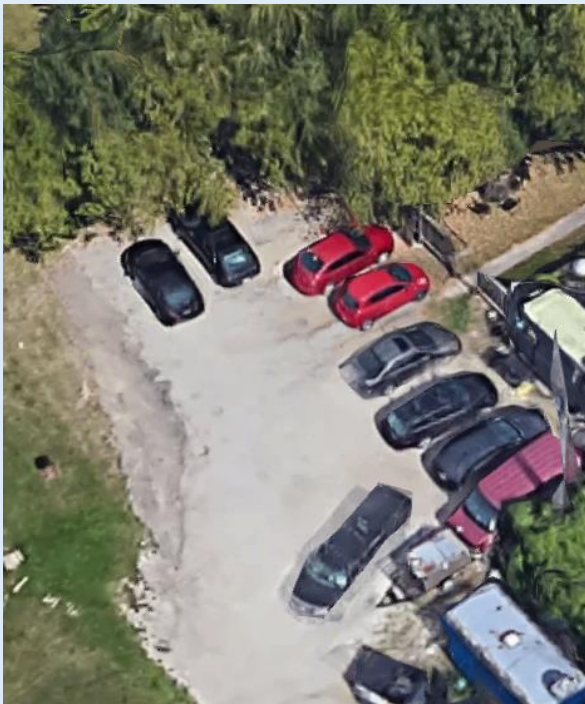
- MAINTENANCE of a PROPERTY

PROPERTY COULD MEAN a BUILDING, a SITE, a PARKING LOT, etc.

PURPOSE OF THE ZONING CODE

Let's Discuss the Last Bullet Point First:

MAINTENANCE of a PROPERTY



ITEMS SUCH AS PARKING ON SITE, TEMPORARY WINDOW SIGNS, ETC

WHERE IS ZONING APPLICABLE ?

- USE of PROPERTY
- DEVELOPMENT of PROPERTY
- MAKE CHANGES to PROPERTY

What It Is Not ZONING

- Building Codes,
- ADA
- Licensing (bars/taverns)
- Health Permits
- Historic or ARB Code
- Public Right of Way
- Other Items

Learn about at upcoming sessions: <http://city.milwaukee.gov/LunchAndLearn#>.

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History and Change

- The Current Code and Zoning Maps were Updated in 2002 Code (Following 1986 Code)
- Recent Zoning Code Projects – Includes Creating a New Commercial District (LB3), Bicycle Parking
- Current Zoning Code Projects – Updating the Landscape Code, Creating Transit Oriented Development District
- Zoning Code Updates – Typically Occurs Multiple Times per Year

HOW MILWAUKEE GRANTS APPROVAL FOR NEW DEVELOPMENT and ALTERATIONS

- In City of Milwaukee, Zoning Approval is a Part of ANOTHER PERMIT, Such as a BUILDING, OCCUPANCY or OTHER PERMIT)
- Different systems in different cities.
- In some locations zoning is a distinct separate permit.

BACKGROUND AND PROCESS

Administers and Enforces Zoning Approval:

- Department of Neighborhood Services (DNS)
 - The Development Center & Plan Examination is the Primary Point of contact, review and compliance determination.



Located at 809 N Broadway, 1st Floor



Web: <http://city.milwaukee.gov/permits>

Zoning questions - Phone: 414-286-8211

Administers and Enforces Zoning Approval:

- DCD Planning is involved occasionally for Overlays review of projects.
- DCD may be involved for a
 - Zoning Change to a different district or to a
 - Zoning Change to (DPD), Detailed Planned Developments
 - To Establish an Overlay Zone

(will discuss these topics later on in presentation)

How Approvals Happen

- Integral with a Building Permit, Occupancy Permit, or other sorts of permits.
- May need to comply with site specific Zoning Overlay
- If a Detailed Planned Development, must match what was approved

Related but not Zoning:

- Architectural Review Board or Historic Approval - Certificate of Appropriateness
- Must meet Zoning and additional requirements

Historic Third Ward <https://historicthirdward.org/doing-business/architectural-review-board/>

East North Avenue <https://www.theeastside.org/do-business-here/building-and-sign-guidelines>

Historic Preservation Commission <http://city.milwaukee.gov/cityclerk/hpc>

Zoning Map

- Every Property has a **Zoning District** Designation

Zoning District

- Every District has zoning requirements

Zoning Code

- Milwaukee Code of Ordinances Chapter 295

To clarify:

Do Not Say - A Property is zoned for a *“this use”*

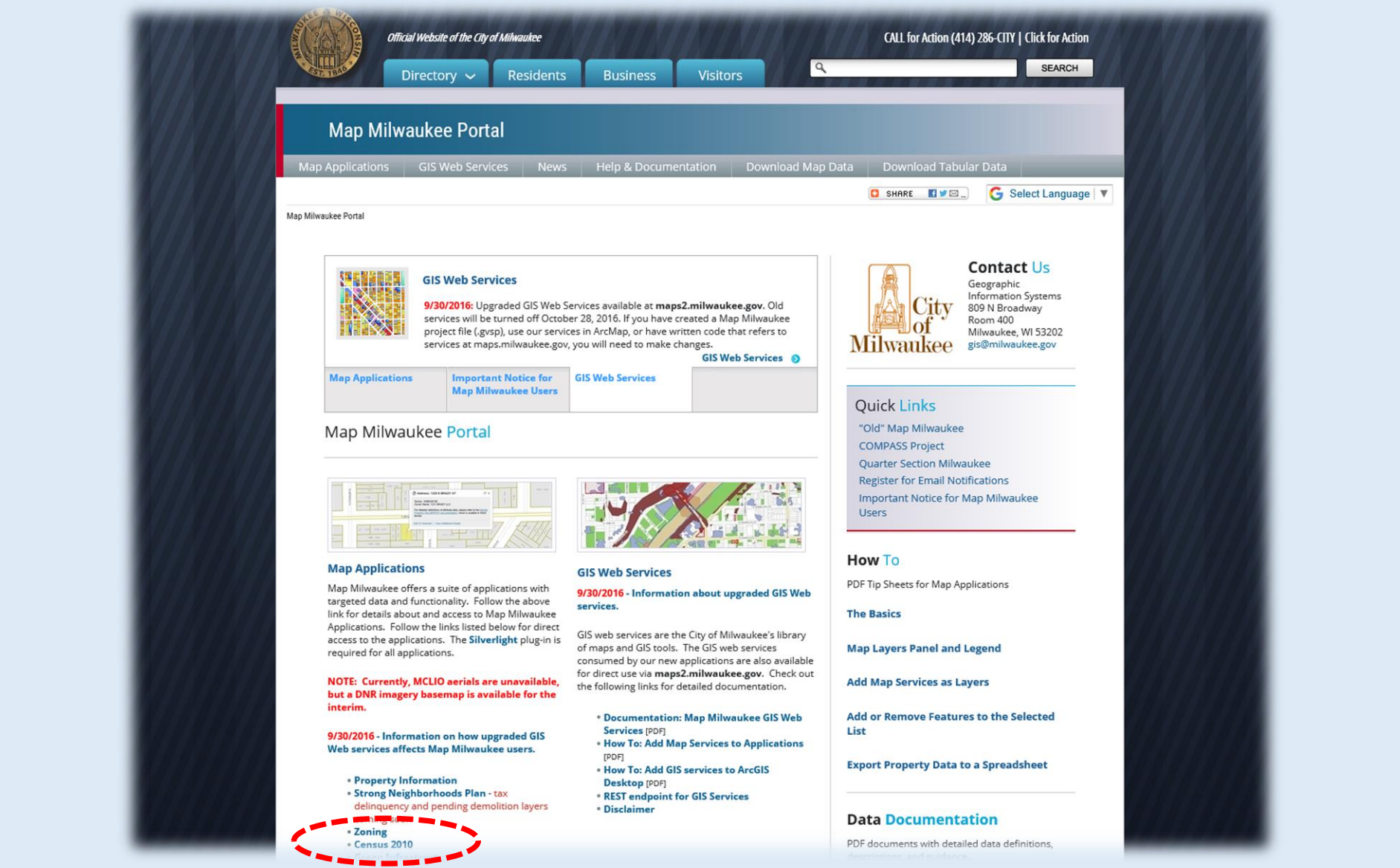
Rather – “A Property is in this Zoning District. The various use permitted in that District are allowed”

EXAMPLE

You would like to build a building for an intended use at a specific location.

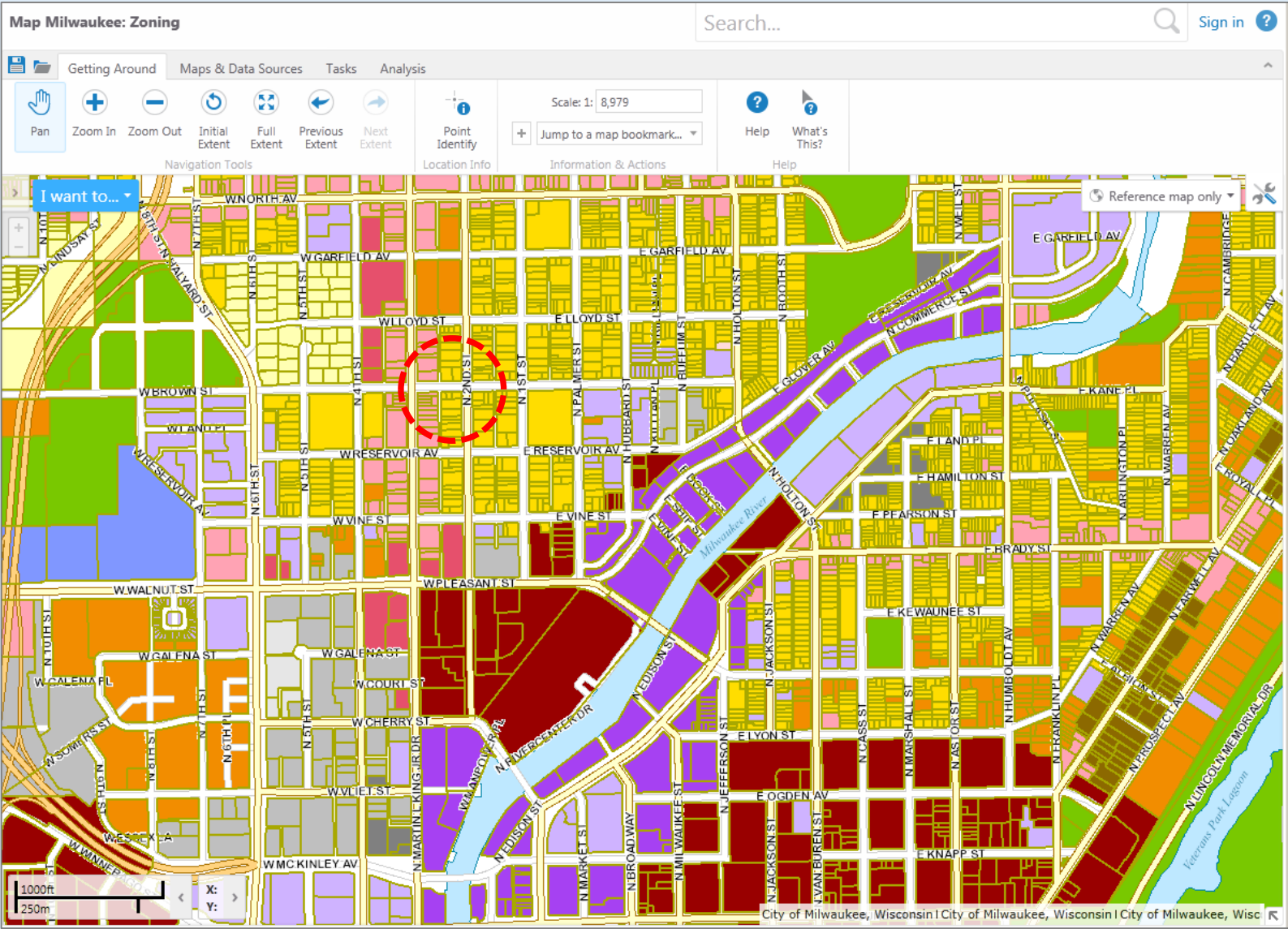
How do you find if your Use is permitted and your concept for the design work at the location?

The next slides walks through that question.



<http://city.milwaukee.gov/mapmilwaukee> , Click on Zoning under Map Applications

Example: Want to find out about a RACM Property at 1944 N MLK



Example: Want to find out about a RACM Property at 1944 N MLK

Map Milwaukee: Zoning

Search... Sign in ?

Getting Around Maps & Data Sources Tasks Analysis

1944 N MARTIN L KING JR DR

Zoom to Feature Pan to Feature Create a Report Copy to Drawing Add to Selected Export Feature Attachments

Details Attributes Links

Field Name	Field Value
Address	1944 N MARTIN L KING JR DR
Taxkey	3530685000
House number - low	1944
Street direction	N
Street name	MARTIN L KING JR
Street type	DR
Current assessment - total	0
Owner name 1	REDEVELOPMENT AUTHORITY OF
Owner mailing address	809 N BROADWAY
Owner city, state	MILWAUKEE WI
Owner zip code	53202
Building type	
Number of units	0
Building area (sq ft)	
Year built	
Number of rooms	
Lot area (sq ft)	2513
Zoning code	LB2
Land use code	8880
Land use group	13
Owner occupied (O/N)	N
Census tract	11400

Scale: 1: 561

to a map bookmark...

Help What's This?

Information & Actions Help

2000 2008 210 RT4 Reference map only

WBROWN ST

1950 1948 1944 1940 1936-1938 LB2 1934 1926-1928 1920

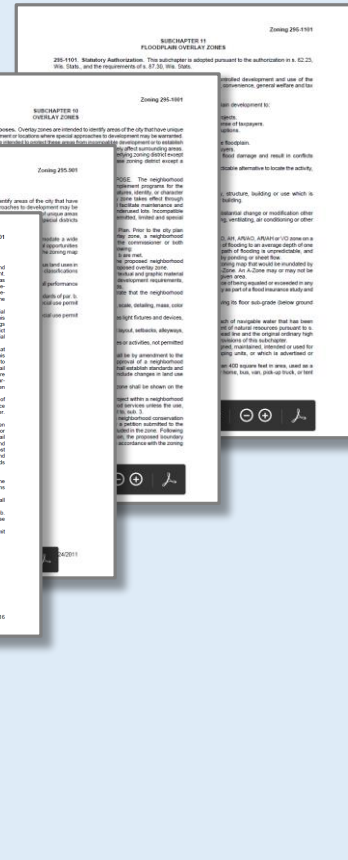
219 213 1951 1945 RT4 1933 1927 1923

City of Milwaukee, Wisconsin City of Milwaukee, Wisconsin City of Milwaukee, Wisconsin

ZONING CODE

ZONING CODE – 11 Subchapters

31028



STRUCTURE OF THE ZONING CODE

SUBCHAPTER THAT APPLY THROUGHOUT

SUBCHAPTERS
1-4
APPLY
THROUGHOUT
CITY AND CODE

DISTRICT CHAPTER

SUBCHAPTERS
5-9
SPECIFIC
BASED ON
LOCATION

SUBCHAPTERS 10 - 11 OVERLAY ZONES
IN SPECIFIC LOCATIONS

STRUCTURE OF THE ZONING CODE

SUBCHAPTER THAT APPLY THROUGHOUT

1 - INTRODUCTION

2 – DEFINITIONS AND
RULES OF MEAUREMENT

3 – ADMINISTRATION,
ENFORCEMENT AND APPEALS

4 – GENERAL PROVISIONS

10 - OVERLAY ZONES

DISTRICT CHAPTER

5 - RESIDENTIAL DISTRICTS

6 - COMMERCIAL DISTRICTS

7 - DOWNTOWN DISTRICTS

8 - INDUSTRIAL DISTRICTS

9 - SPECIAL DISTRICTS

11 – FLOODPLAIN OVERLAY
ZONES

STRUCTURE OF THE ZONING CODE

First, let's discuss the District Chapters

SUBCHAPTER THAT APPLY THROUGHOUT

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11 – FLOODPLAIN OVERLAY
ZONES

STRUCTURE OF THE ZONING CODE

USE

All of these subchapters are divided into these two main sections

DESIGN

Character of Districts

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Zoning-Districts.htm#>

DISTRICT CHAPTER

5 - RESIDENTIAL DISTRICTS

6 - COMMERCIAL DISTRICTS

7 - DOWNTOWN DISTRICTS

8 - INDUSTRIAL DISTRICTS

9 - SPECIAL DISTRICTS

STRUCTURE OF THE ZONING CODE

DISTRICT CHAPTER

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Character of Districts

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Zoning-Districts.htm#>

STRUCTURE OF THE ZONING CODE

All designations can be found in one of these 5 subchapters:

DISTRICT CHAPTER

5 - RESIDENTIAL DISTRICTS

Single - RS1 thru RS6, Two - RT1 thru RT4, Multi -RM1 thru RM7

6 - COMMERCIAL DISTRICTS

NS1, NS2, LB1, LB2, LB3, RB1, RB2, CS

7 - DOWNTOWN DISTRICTS

C9A, C9B, C9C, C9D, C9E, C9F, C9G, C9H

8 - INDUSTRIAL DISTRICTS

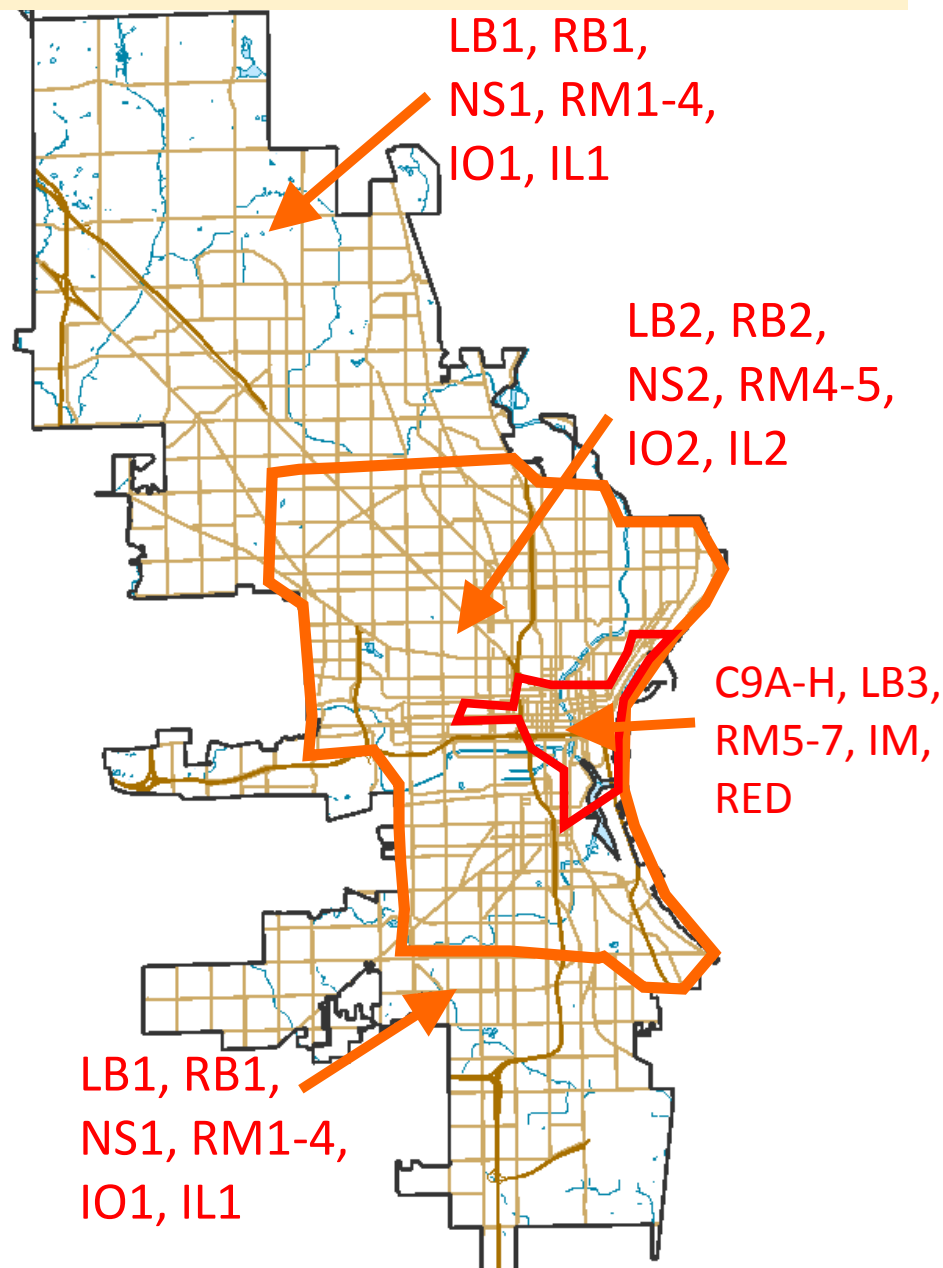
IO1, IO2, IL1, IL2, IM, IC, IH

9 - SPECIAL DISTRICTS

PK, TL, PD, DPD, RED

Character of Districts

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Zoning-Districts.htm#>



Rational for different districts

DISTRICTS and CONTEXT

“1” DISTRICTS – MOSTLY LATER DEVELOPMENT, LARGER SETBACKS, MORE AUTO ACCOMODATION

“2” DISTRICT AREAS – OLDER ORIGINAL CITY, MORE URBANIZED, SMALLER SETBACKS, NARROWER STREETS

DOWNTOWN AND “3” DISTRICT AREAS –
– OLDER ORIGINAL CITY, MORE URBANIZED, SMALLER SETBACKS, NARROWER STREETS
DENSER DEVELOPMENT

Note: This diagram is for explaining the general concepts and should not be construed as exact boundaries

RESIDENTIAL TYPE DISTRICTS

Residential Districts



Multi-Family Residential Districts (RM1-RM2)

The purpose of the RM1-RM2 districts is to promote, preserve and protect neighborhoods intended primarily for low-to medium-density multi-family uses with a more suburban character. These districts require larger lots, larger setbacks and a smaller lot coverage than the RM3 district. The neighborhoods found in these districts feature a regular platting pattern and a more uniform pattern of development than those of the RM3 district.



Multi-Family Residential Districts (RM3)

The purpose of the RM3 district is to promote, preserve, and protect neighborhoods intended primarily for medium-density residential uses with an urban character. This district, much like the RM4-RM7 districts, allows smaller lots, smaller setbacks and higher lot coverage than the RM1-RM2 districts. However, the neighborhoods in this district were platted and developed, in large part, in the early 1900s and tend to be more uniform and of a lower density than those of the RM4-RM7 districts. This district also allows traditional corner commercial establishments commonly found in urban neighborhoods.



Multi-Family Residential Districts (RM4-RM7)

The purpose of the RM4-RM7 districts is to promote, preserve and protect neighborhoods intended primarily for high-density multi-family residential uses. These districts allow a wide range of lot sizes, smaller setbacks, and a high percentage of lot coverage. They also allow neighborhood-serving commercial establishments commonly found in urban neighborhoods.

COMMERCIAL TYPE DISTRICTS

Local Business Districts

These districts provide a wide range of goods and services to a large consumer population coming from an extensive area. Within these districts, moto-vehicle-related activities are of major significance. Good access by motor vehicle or public transit is important to local business districts, which are often located adjacent to intersections of major thoroughfares and in close proximity to bus transfer locations.



Local Business 3 (LB3)

The LB3 district is the most urban and is characterized by design standards appropriate for neighborhood commercial hubs, centers, corridors and transit-oriented development areas that have a denser level of development and may have taller buildings, all of which promote compact, walkable, sustainable neighborhoods.



Local Business 2 (LB2)

The development pattern in the LB2 district tends to be more urban than the LB1 district, with smaller lots and smaller setbacks.



Local Business 1 (LB1)

The LB1 district is characterized by a more suburban development pattern, with larger lots and deeper setbacks.

Industrial Districts



Industrial Mixed (IM)

This district is intended to provide for the orderly conversion of certain older industrial and warehousing areas with multi-story buildings to residential, commercial or office uses for which the buildings, at the present time, may be better suited. These areas have an urban character. Buildings were typically built without setbacks or yards and often with little or no off-street parking.

Downtown Districts



Neighborhood Retail (C9C)

The neighborhood retail district is designed and intended as a convenience shopping district serving surrounding residential neighborhoods.



Major Retail (C9E)

The major retail district is designed and intended to be a highly active, intensely developed regional shopping district featuring both convenience and shopper's retail goods and services.



Office and Service (C9F)

The office and service district is designed and intended to serve both as a retail trade and a personal and business services district, as well as a major center of office commercial activities.



Mixed Activity (C9G)

The mixed activity district is designed and intended to permit a wide range of retail, service, light manufacturing, warehousing and residential uses. Because of their operational characteristics, many of the uses allowed in the mixed activity district should be relegated to the peripheral portions of the downtown district.

STRUCTURE OF THE ZONING CODE

DISTRICT CHAPTER

Subchapter 5: RESIDENTIAL DISTRICTS

(for designations: RS1 through RS5, RT1 through RT4, RM1 through RM7, RO1, RO2)

Subchapter 6: COMMERCIAL DISTRICTS

(for designations: NS1, NS2, LB1, LB2, LB3, RB1, RB2, CS)

Subchapter 7: DOWNTOWN DISTRICTS

(for designations: C9A through C9H)

Subchapter 8: INDUSTRIAL DISTRICTS

(for designations: IO1, IO2, IL1, IL2, IM, IH)

Subchapter 9: SPECIAL DISTRICTS

(for designations: PK, TL, PD, DPD, RED)

Character of Districts

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Zoning-Districts.htm#>

*District information
found in Code
Subchapter can be
easily found on our
links page*

CITY OF MILWAUKEE ZONING

RESOURCES FOR SITE SPECIFIC INFO

SUBCHAPTER 6 COMMERCIAL DISTRICTS

295-601. Purposes. For the purpose of regulating the use of land in the city of Milwaukee and to provide for the orderly growth and development of the city, the following commercial zoning districts are established:

1. **NEIGHBORHOOD SHOPPING DISTRICTS (NS1-NS2).** These districts provide a range of uses as well as commercial uses that serve the neighborhood. Such commercial uses are necessary to satisfy basic shopping and service needs that occur frequently and must, therefore, be located close to residential areas. The character of these districts is intended to be compatible with that of surrounding residential neighborhoods. Buildings in these districts are typically smaller in scale than those found in local business districts. The NS1 district is characterized by a more suburban development pattern, with larger lots and deeper setbacks, while the development pattern in the NS2 district tends to be more urban, with smaller lots and smaller setbacks.
 2. **LOCAL BUSINESS DISTRICTS (LB1-LB3).** These districts provide a wide range of goods and services to a large consumer population coming from an extensive area. Within these districts, motor-vehicle-related activities are of major significance. Good access by motor vehicle or public transit is important to local business districts, which are often located adjacent to intersections of major thoroughfares and in close proximity to bus transfer locations. The LB1 district is characterized by a more suburban development pattern, with larger lots and deeper setbacks, while the development pattern in the LB2 district tends to be more urban, with smaller lots and smaller setbacks. The LB3 district is the most urban and is characterized by design standards appropriate for neighborhood commercial hubs, centers, corridors and transit-oriented development areas that have a denser level of development and may have taller buildings, all of which promote compact, walkable, sustainable neighborhoods.
 3. **REGIONAL BUSINESS DISTRICTS (RB1-RB2).** These districts provide areas where regional or city-wide shopping, employment or high-density residential uses may occur. These districts allow large-scale and tall buildings. They also have a high intensity of land use and may contain nodes of development that can be effectively served by public transportation. The RB1 district is characterized by a more suburban development pattern, with larger lots and deeper setbacks, while the development pattern in the RB2 district tends to be more urban, with smaller lots and smaller setbacks.
 4. **COMMERCIAL SERVICE (CS).** This district is intended to provide areas where businesses and personal service establishments can be accommodated, but where extensive retail activities are not warranted by city plans.
- 295.603. **Uses.** 1. **USE TABLE.** Table 295-603-1 indicates the use classifications for various land uses in the commercial districts. The uses in this table are defined in s. 295-201. The following are the use classifications indicated in Table 295-603-1:
- a. "A" indicates a permitted use. This use is permitted as a matter of right subject to all performance standards.
 - b. "L" indicates a limited use. This use is permitted only when the use meets the standards of sub. 2. If use cannot meet these standards, it shall be permitted only upon board approval of a special use permit pursuant to s. 295-311-2, unless otherwise prohibited by sub. 2.
 - c. "S" indicates a special use. This use is permitted only if the board approves a special use permit pursuant to s. 295-311-2.
 - d. "N" indicates a prohibited use.

Zoning 295-601

ning 295-501

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7 - DOWNTOWN DISTRICTS

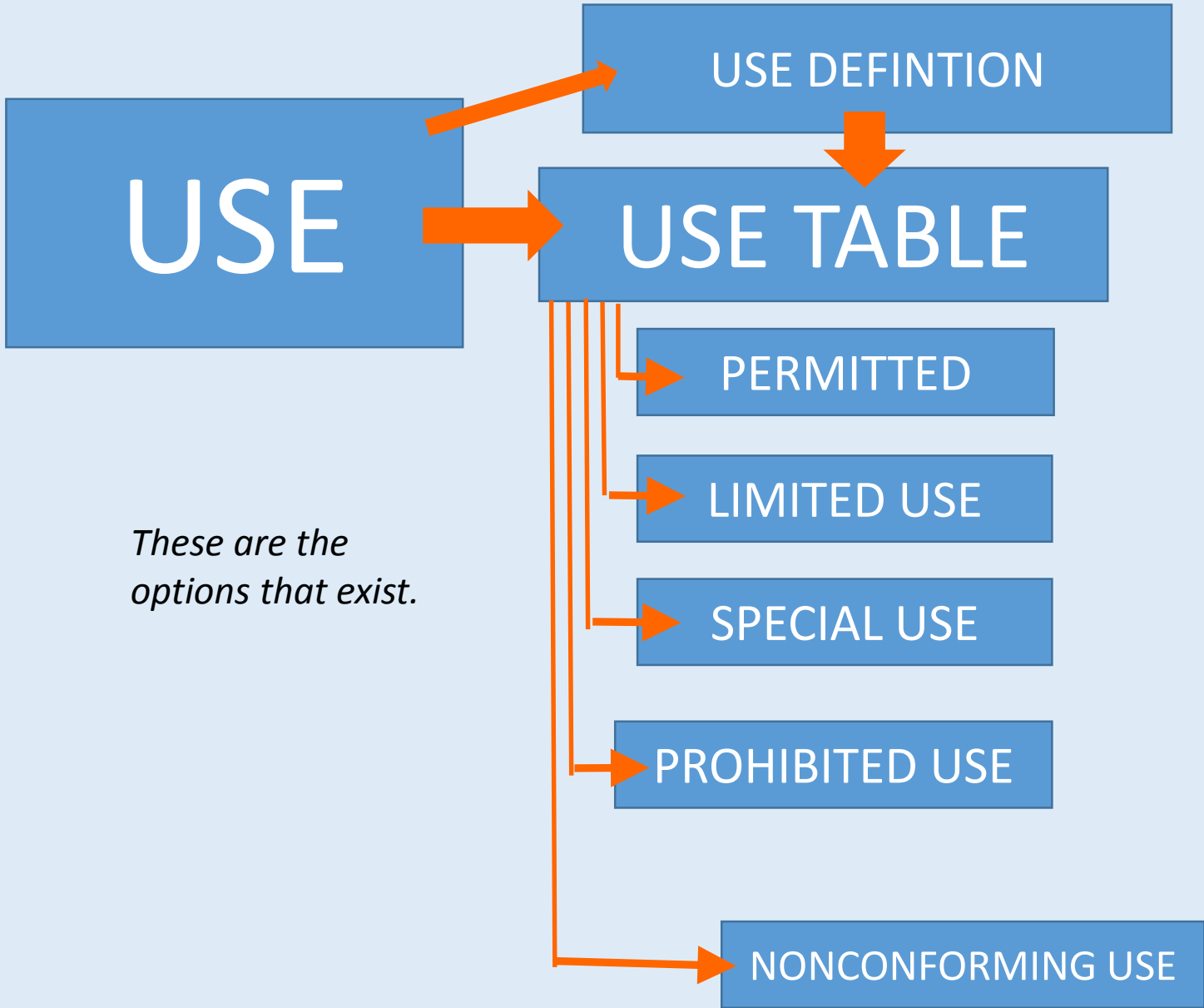
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Character of Districts

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Zoning-Districts.htm#>

STRUCTURE OF THE ZONING CODE



Use classifications can be found in Definitions, Subchapter 2

These are the options that exist.

USE TABLE

Y=PERMITTED

L=LIMITED USE

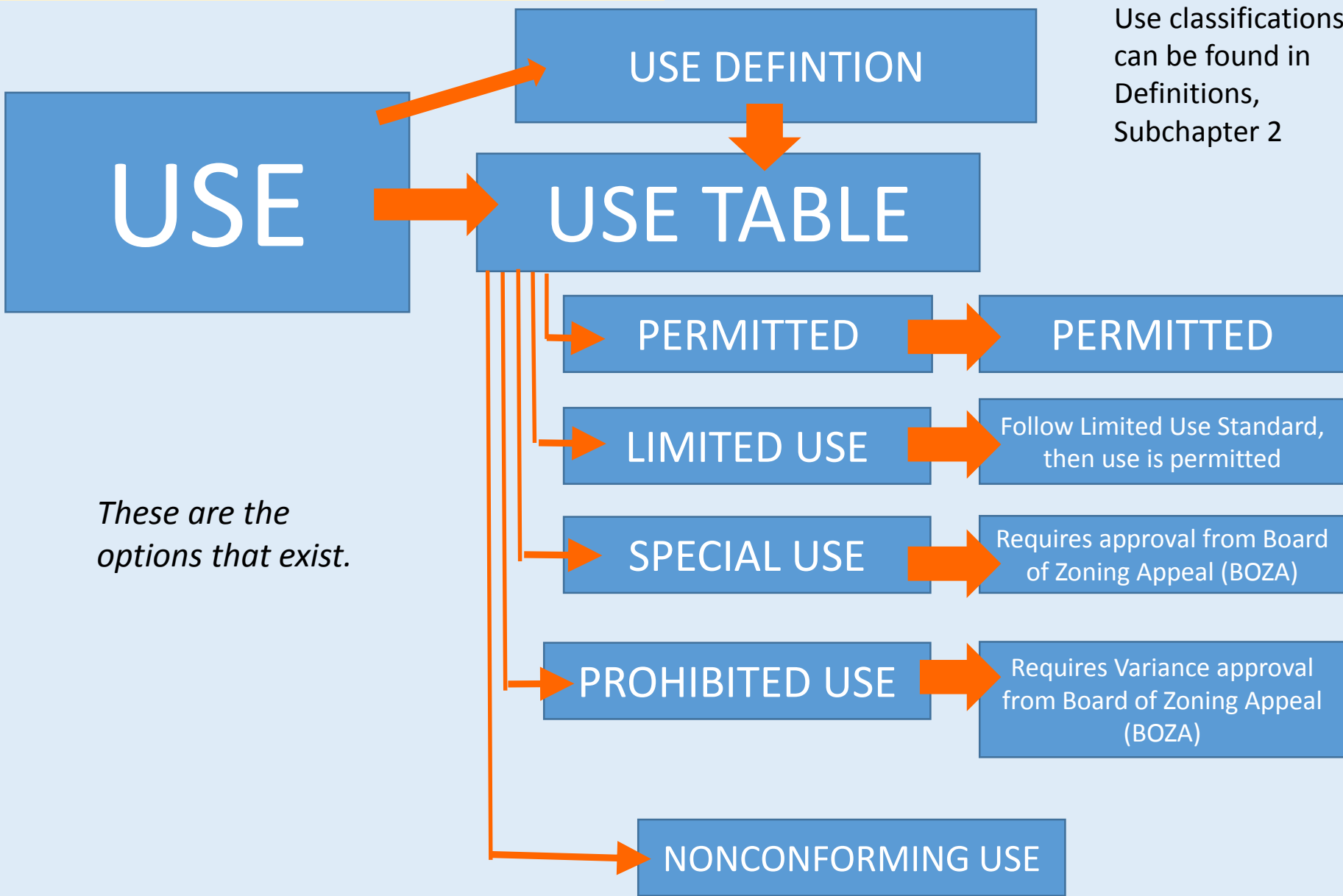
S=SPECIAL USE

N=PROHIBITED USE

Zoning 295-603-1

Table 295-603-1 COMMERCIAL DISTRICTS USE TABLE									
Y=Permitted Use S=Special Use	L=Limited Use N=Prohibited Use		Zoning Districts						
USES	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
EDUCATIONAL USES									
Day care center	S	S	S	S	S	S	S	S	
School, elementary or secondary	S	S	S	S	S	S	S	S	
College	Y	Y	Y	Y	Y	Y	Y	Y	
School, personal instruction	Y	Y	Y	Y	Y	Y	Y	Y	
COMMUNITY-SERVING USES									
Library	Y	Y	Y	Y	Y	Y	Y	Y	
Cultural institution	Y	Y	Y	Y	Y	Y	Y	Y	
Community center	S	S	S	S	S	S	S	S	
Religious assembly	S	S	S	S	S	Y	Y	Y	
Cemetery or other place of interment	N	N	N	N	N	N	N	N	
Public safety facility	Y	Y	Y	Y	Y	Y	Y	Y	
Correctional facility	N	N	N	N	N	N	N	N	
COMMERCIAL AND OFFICE USES									
General office	Y	Y	Y	Y	Y	Y	Y	Y	
Government office	Y	Y	Y	Y	Y	Y	Y	Y	
Bank or other financial institution	Y	Y	Y	Y	Y	Y	Y	Y	
Currency exchange, payday loan or title loan agency	S	S	S	S	S	S	S	S	
Installment loan agency	S	S	S	S	S	S	S	S	
Cash-for-gold business	S	S	S	S	S	S	S	S	
Pawn shop	S	S	S	S	S	S	S	S	
Retail establishment, general	L	L	L	L	L	L	L	L	
Garden supply or landscaping center	N	N	Y	Y	Y	Y	Y	Y	
Home improvement center	N	N	S	S	S	Y	Y	Y	
Secondhand store	L	L	L	L	L	L	L	L	
Outdoor merchandise sales	S	S	S	S	S	S	S	S	
Artist studio	Y	Y	Y	Y	Y	Y	Y	Y	
Adult retail establishment	N	N	N	N	N	S	S	N	
HEALTH CARE AND SOCIAL ASSISTANCE USES									
Medical office	Y	Y	Y	Y	Y	Y	Y	Y	

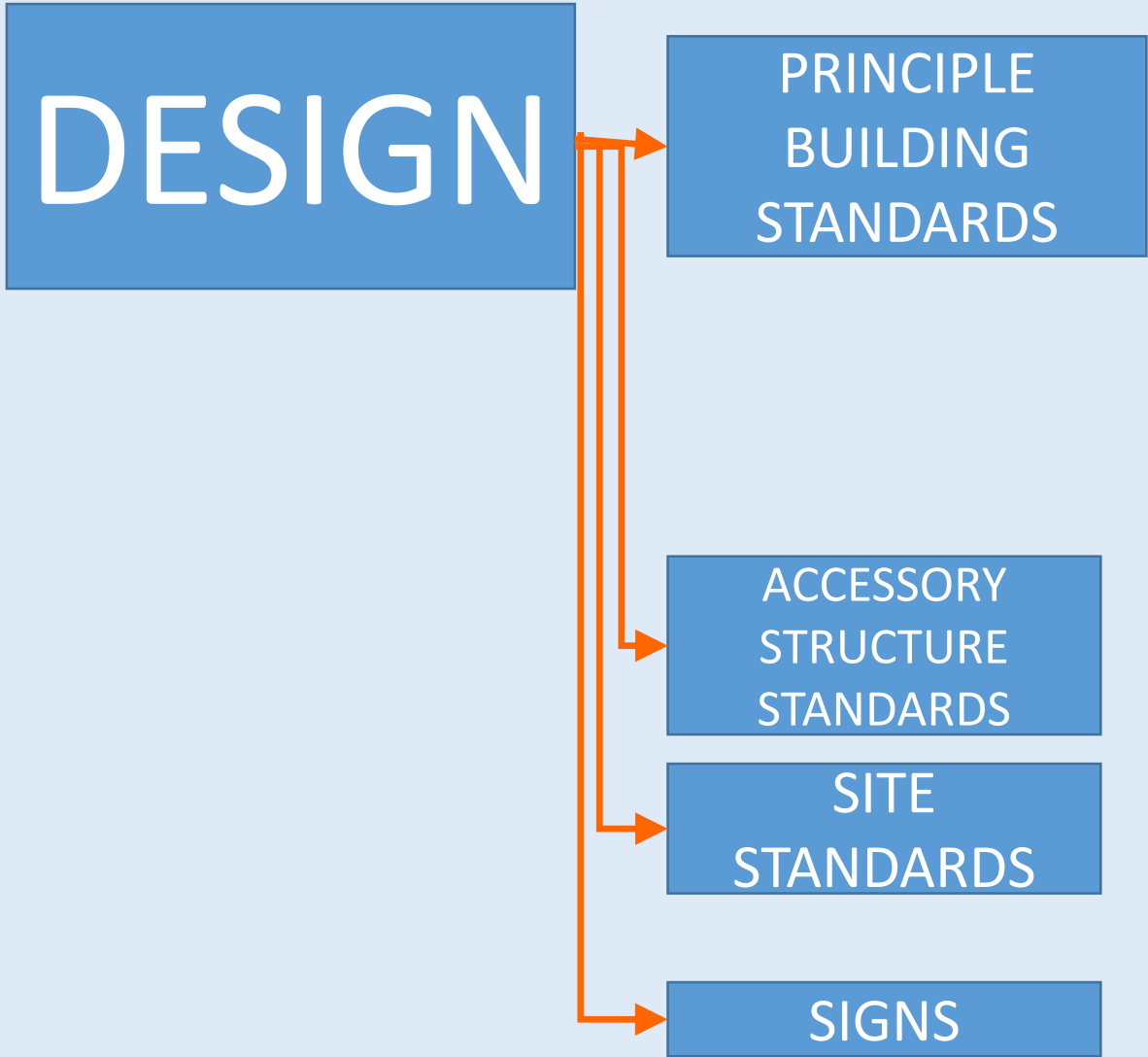
STRUCTURE OF THE ZONING CODE





	S	S	S	S	S	S	S	S
	S	S	S	S	S	S	S	Y
Substation/distribution equipment, indoor	S	S	S	S	S	S	S	S
Substation/distribution equipment, outdoor	L	L	L	L	L	L	L	L
TEMPORARY USES								
Seasonal market	L	L	L	L	L	L	L	L
Temporary real estate sales office	L	L	L	L	L	L	L	L
Concrete/batch plant, temporary	L	L	L	L	L	L	L	L
Live entertainment special event	L	L	L	L	L	L	L	L

2. LIMITED USE STANDARDS. a. Family Day Care Home. a-1. The operator of the family day care home shall reside in the dwelling unit in which the day care home is located, except in a 2-family dwelling, in which case the operator may reside in one dwelling unit and operate the family day care home in the other unit.
- a-2. There shall be no other family day care home in the building as of April 30, 2004.
- a-3. The family day care home shall not operate between the hours of 10 p.m. and 6 a.m.
- a-4. Signs shall not be permitted.
- a-5. Any family day care home that does not meet one or more of these standards shall be deemed designed and intended to be occupied in whole or in part by a non-residential use and has been occupied by such non-residential use within the past 12 months.
- p. Assembly Hall. p-1. The use shall be located on the premises of, and accessory to, a restaurant or tavern.
- p-2. The use shall operate within the business hours of the restaurant or tavern to which it is accessory.
- p-3. The restaurant or tavern to which the use is accessory holds all licenses necessary to facilitate events in the assembly hall, including but not limited to food dealer, alcohol beverage or public entertainment premises licenses.
- q. Fast-food/Carry-out Restaurant. The use shall be located in a building containing at least one other principal use listed as a permitted use in the zoning district in which it is located.
- r. Theater. The capacity of the building shall not exceed 49 persons.
- s. Light Motor Vehicle Wholesale Facility. Not more than 3 vehicles to be sold shall be stored on the premises.
- t. Indoor Wholesale and Distribution Facility or Indoor Storage Facility. t-1. The gross floor area of the building devoted to storage as a principal use shall not exceed 3,600 square feet.
- t-2. Storage of hazardous materials, as described in s. 295-201-627, shall be prohibited.
- u. Ground Transportation Service. u-1. Not more than 15 vehicles shall be stored on the premises at any one time.
- u-2. The vehicle storage area shall meet the applicable perimeter landscaping and residential buffer standards in s. 295-405-4.



DESIGN
STANDARDS
TABLE

TABLE 295.605-2 PRINCIPAL BUILDING DESIGN STANDARDS									
Design Standards for Non-residential and Multi-family Principal Buildings									
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
Primary Street									
Front setback, minimum (ft.) (see s. 295-505-2-b)	average	none	average	none	none	average	none	none	
Front setback, maximum (ft.) (see s. 295-505-2-b)	50	average	70	average	average	none	70	average	
Secondary Street									
Side street setback, min. (ft.)	none	none	none	none	none	none	none	none	
Side street setback max. (ft.)	15	5	25	5	5	none	70	5	
Rear street setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Side setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Side setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Lot area per dwelling unit, minimum (sq. ft.)	2,400	1,200	1,200	800	300	1,200	800	1,200	
Lot area per dwelling unit, permanent supportive housing, minimum (sq. ft.)	1,200; 2,400 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	150; 300 for a unit with 2 or more bedrooms	600 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	
Lot area per transitional housing client, minimum (sq. ft.)	1,200	600	600	400	150	600	400	600	
Height, minimum (ft.)	none	18	none	18	30	none	24	none	
Height, maximum (ft.)	45	60	45	60	75	85	85	60	
Minimum glazed area, primary street frontage	40%	60%	30%	60%	60%	20%	30%	30%	
Minimum glazed area, secondary street frontage	10%	15%	10%	15%	15%	10%	15%	10%	
Minimum build-out, primary street frontage	none	30%	none	30%	75%	none	30%	none	
Minimum build-out, secondary street frontage	none	none	none	none	50%	none	none	none	
Multiple principal buildings permitted?	yes	yes	yes	yes	yes	yes	yes	yes	
Design Standards for Single family and Two-family Dwellings									
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
Refer to design standards in subch. 5 for this residential district	RM1	RM4	RM2	RM5	RM5	RM2	RM5	RM4	

STRUCTURE OF THE ZONING CODE

DESIGN

PRINCIPLE
BUILDING
STANDARDS

DESIGN
STANDARDS
TABLE

STREET ORIENTATION

BUILDING PLACEMENT

BULK – HEIGHT, ETC.

ENTRANCES – PED & MV

GLAZING

MATERIALS

ACCESSORY
STRUCTURE
STANDARDS

GARAGES, SHED, DECKS

SITE
STANDARDS

PARKING, DUMPSTERS, FENCES

PEDESTRIAN ACCESS

SIGNS

ON PREMISE

OFF PREMISE (BILLBOARDS)

STRUCTURE OF THE ZONING CODE

DESIGN

STREET ORIENTATION

BUILDING PLACEMENT

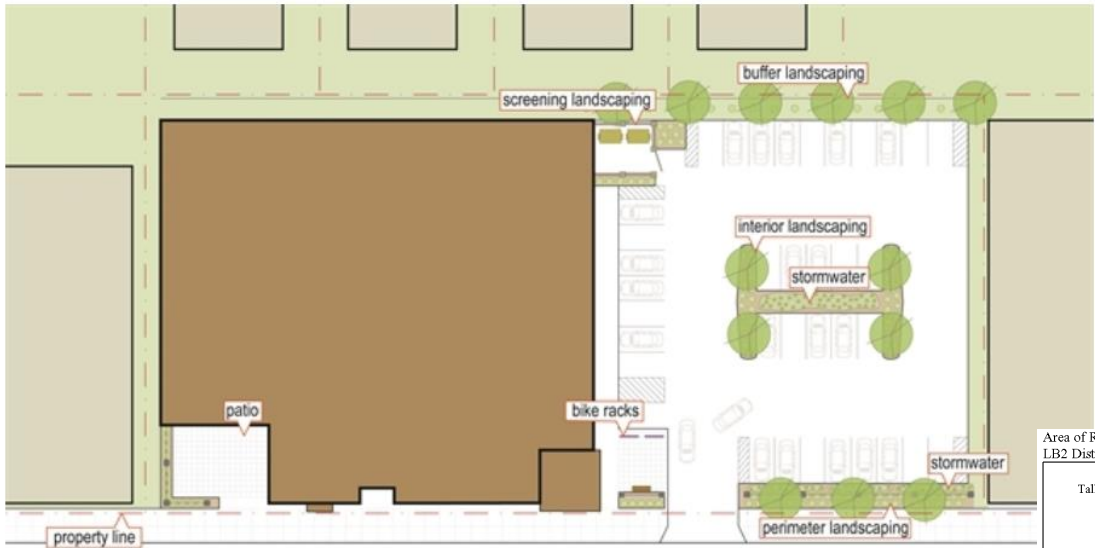
BULK – HEIGHT, ETC.

ENTRANCES – PED & MV

GLAZING

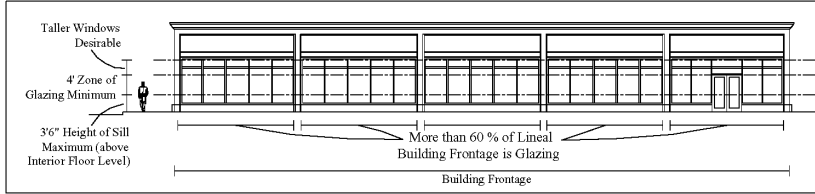
MATERIALS

Site Layout Diagram



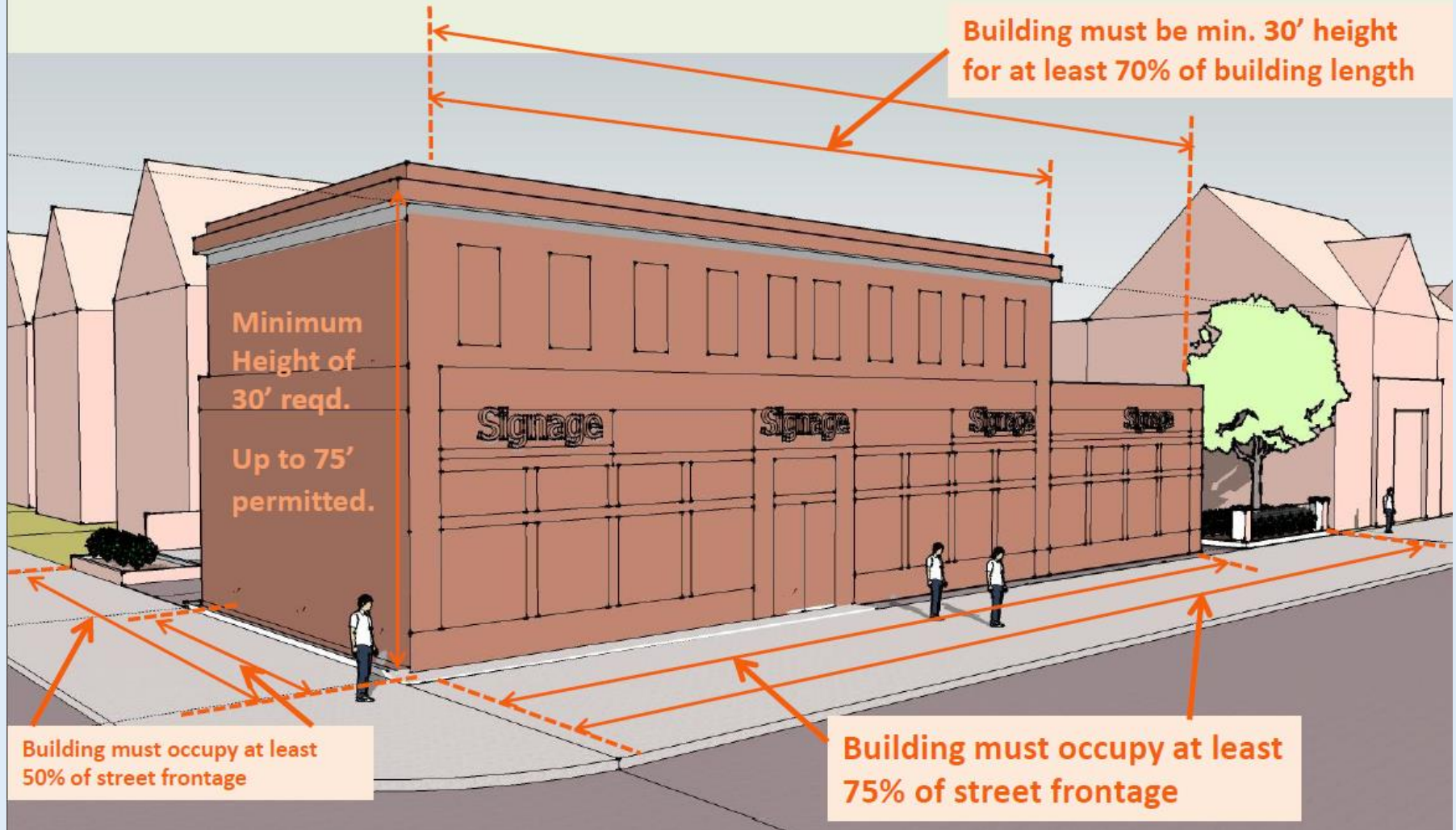
Area of Required Glazing
LB2 District

Primary Street Glazing
Desirable



STRUCTURE OF THE ZONING CODE

Example utilizing zoning standards for LB3 Zoning



STRUCTURE OF THE ZONING CODE

DESIGN



Dumpster and Loading Dock Screening



ACCESSORY
STRUCTURE
STANDARDS

SITE
STANDARDS



Identifiable Pedestrian Link

GARAGES, SHED, DECKS

PARKING, DUMPSTERS, FENCES

PEDESTRIAN ACCESS

ON PREMISE SIGNS

Wall Signage
LB2 Zoning
One Building, Multiple Tenants

Wall Signage
Multiple Tenants

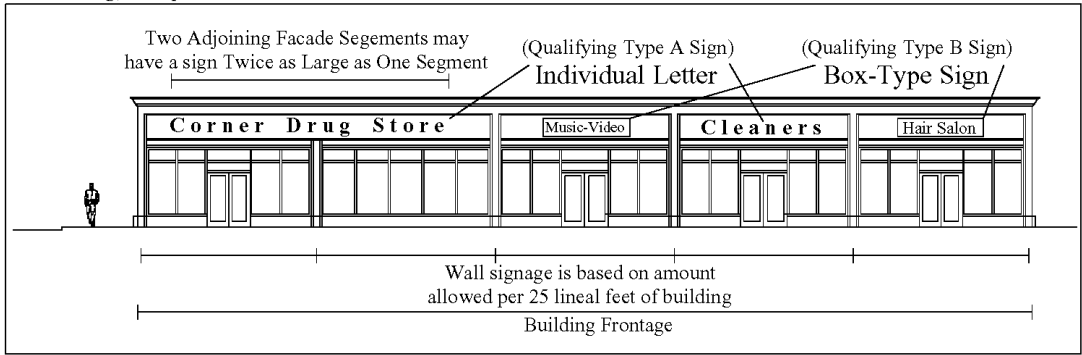


Table 295-605-5 COMMERCIAL DISTRICT SIGN STANDARDS								
	Zoning District							
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
<i>Freestanding Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>type "A" permitted only</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per site	1 per site	1 per street frontage*	1 per site*	1 per site*	1 per street frontage*	1 per street frontage*	1 per site*
Type "A" max. display area (sq. ft.)	64	40	150	100	64	150	150	100
Type "B" max. display area (sq. ft.)	32	20	50	32	NA	75	50	32
Maximum height	10	6	14	14	8	20	20	14
<i>Wall Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet
Type "A" max. display area (sq. ft.)	50	40	75	50	100	75	75	50
Type "B" max. display area (sq. ft.)	25	25	32	25	25	32	32	25
<i>Projecting Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet
Type "A" max. display area (sq. ft.)	50	50	60	50	100	100	60	50
Type "B" max. display area (sq. ft.)	25	25	30	25	25	50	30	25
<i>Awning Signs</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>

STRUCTURE OF THE ZONING CODE

SUBCHAPTER THAT APPLY THROUGHOUT

- 1 - INTRODUCTION
- 2 – DEFINITIONS AND RULES OF MEAUREMENT
- 3 – ADMINISTRATION, ENFORCEMENT AND APPEALS
- 4 – GENERAL PROVISIONS

10 - OVERLAY ZONES

DISTRICT CHAPTER

- 5 - RESIDENTIAL DISTRICTS
- 6 - COMMERCIAL DISTRICTS
- 7 - DOWNTOWN DISTRICTS
- 8 - INDUSTRIAL DISTRICTS
- 9 - SPECIAL DISTRICTS

11 – FLOODPLAIN OVERLAY ZONES

Department of City Development

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Department of City Development - DCD > Planning > Zoning Topics > DCD Quick Zoning Code Links

DCD Quick Link to the Milwaukee Zoning Code of Ordinances

Please Note:

The Legislative Reference Bureau of the City Clerk's Office maintains the code of ordinances.
The Development Center of DNS determines official zoning code compliance.

Here are helpful links to access specific chapters of the zoning code:

ZONING CHAPTER OUTLINE

Subchapter 1: INTRODUCTION

Subchapter 2: DEFINITIONS AND RULES OF MEASUREMENT

Subchapter 3: ADMINISTRATION, ENFORCEMENT AND APPEALS

Subchapter 4: GENERAL PROVISIONS

Subchapter 5: RESIDENTIAL DISTRICTS
(for designations: RS1 through RS3; RT1 through RT4; RM1 through RM7; RO1, RO2)

Subchapter 6: COMMERCIAL DISTRICTS
(for designations: NS1, NS2, LB1, LB2, LB3, RB1, RB2, CS)

Subchapter 7: DOWNTOWN DISTRICTS
(for designations: C9A through C9H)

Subchapter 8: INDUSTRIAL DISTRICTS
(for designations: IO1, IO2, IL1, IL2, IM, IH)

Subchapter 9: SPECIAL DISTRICTS
(for designations: PK, TL, PD, DPD, RED)
[RED Park East](#) [RED Beerline B](#)

Subchapter 10: OVERLAY ZONES

Subchapter 11: FLOODPLAIN OVERLAY ZONES

New! [Updated Bicycle Parking Requirements](#) (effective July 28, 2017)

Zoning Diagrams and Illustrations

Tips on Understanding the Code Layout:

Quick Links

[Zoning Topics](#)

[Planning](#)

[Department of City Development - DCD](#)

<http://city.milwaukee.gov/PlanningPermits/DCDzoninglink.htm>

CITY OF MILWAUKEE ZONING

4 – GENERAL PROVISIONS

- Motor Vehicle Parking
- Bicycle Parking
- Landscaping
- Signs (more info in District Subchapters)
- Lighting, Transmission Towers, Small Energy Wind Systems, etc.
- Nonconformities (will talk about that in some upcoming slides)

STRUCTURE OF THE ZONING CODE



BICYCLE PARKING HAS BEEN
RECENTLY UPDATED

See Presentation at:

<http://city.milwaukee.gov/BicycleParkingRequirements>



PARKING LOT LANDSCAPING
HAS DETAILED INFORMATION

STRUCTURE OF THE ZONING CODE

Principle:



Parking lot street edge landscaping serves a number of purposes.

<http://city.milwaukee.gov/Designguidelines/UrbanDesignResources/Parking-Lot-Perimeter-Inv.htm#>.

Deeper Dive

Nonconforming Uses

- Nonconforming Uses vs Illegal Use
- Code Changes – How Nonconformity Comes About
- A Permit Record to Verify Previous Use
- Illegal, done without permit or approval

9 - SPECIAL DISTRICTS

- Parks District,
- Institutional Districts,
- Planned Development Districts,
- Redevelopment Districts

9 - SPECIAL DISTRICTS

Planned Development Districts

- Intended to allow flexibility in land development for unique projects.
- Is site-specific, and encourages development that is compatible with its surroundings and is consistent with the City's comprehensive plan.
- Custom Fit Zoning
- Approved DPD must be built exactly as approved

9 - SPECIAL DISTRICTS

Examples of Planned Development Districts



Arena Entertainment Block



Urbanite Apartments



Freshwater Apartments



City Place Apartments

LEGISLATIVE REFERENCE BUREAU maintains: “LEGISTAR”



The screenshot shows the City of Milwaukee Legislative Research Center website. The header includes the City of Milwaukee logo and the text "LEGISLATIVE RESEARCH CENTER powered by Legistar InSite". Below the header is a navigation bar with links: Common Council Home, Legislation, Calendar, Common Council, Boards and Commissions, and Boards and Commission Members. A search bar is located below the navigation bar, with a search button and a "Search Legislation" button. The search results section shows "0 records" and a table with columns: File #, Type, Status, File Created, Final Action, and Title. The table is currently empty, with a message "Please enter your search criteria." below the header row.

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Search Legislation Help

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File #	Type	Status	File Created	Final Action	Title
Please enter your search criteria.					

You can search on address, project, meeting, and so forth

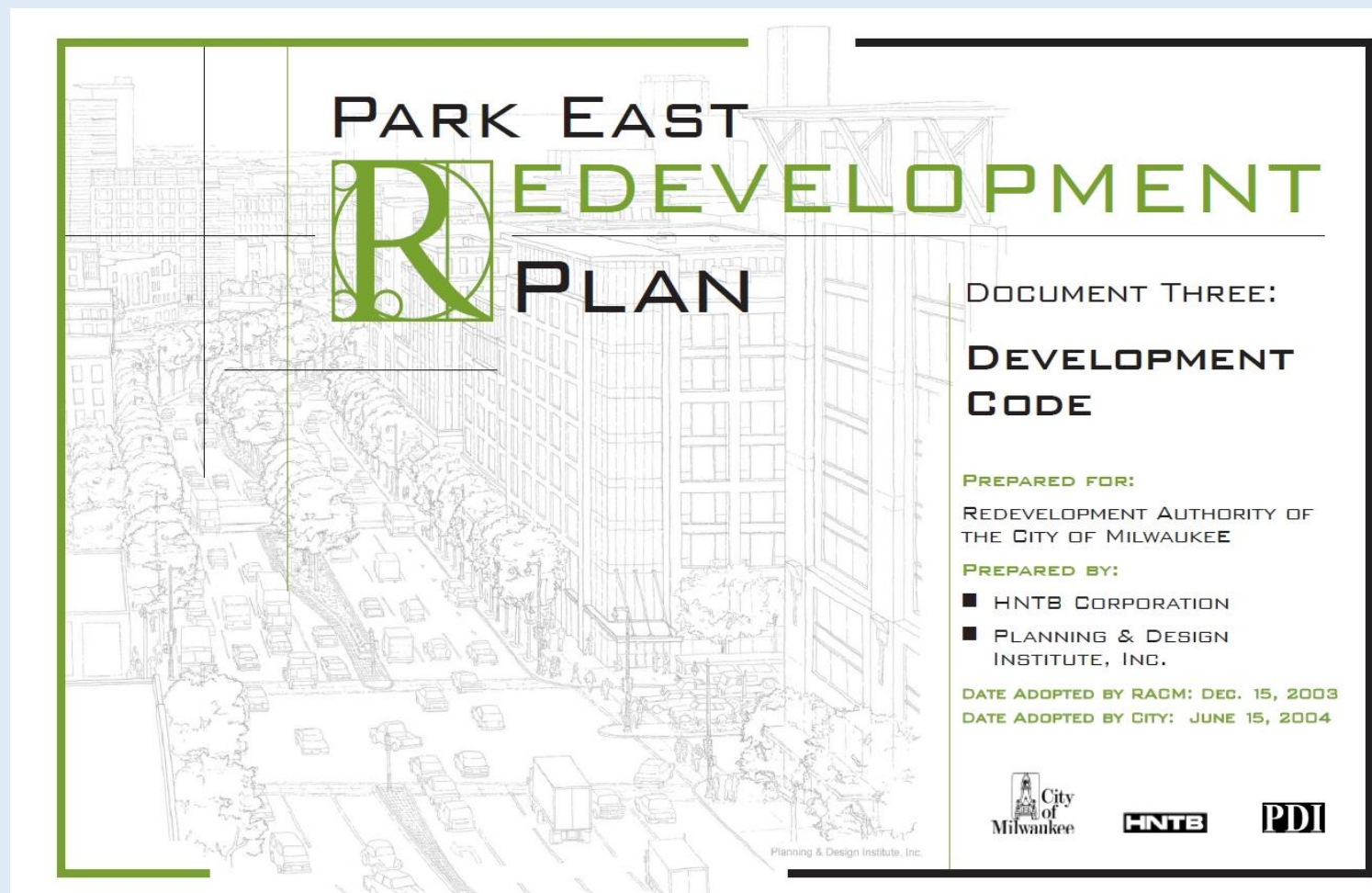
<https://milwaukee.legistar.com/Legislation.aspx>

Redevelopment Zoning (RED)

- This special zoning district in some redevelopment plans,
- Intended to identify areas of the city that have unique qualities requiring special treatment,
- Special approaches to development may be warranted to protect or regulate the development of unique areas, and/or
- Provide more flexible zoning districts which encourage good design and site layout.
- RED zoned areas rely on form based codes.
 - [Beerline B](#)
 - Eastern end of [Menomonee Valley Plan](#) area (6th/Canal)
 - [Park East](#)

Redevelopment Zoning (RED)

Example: RED Park East



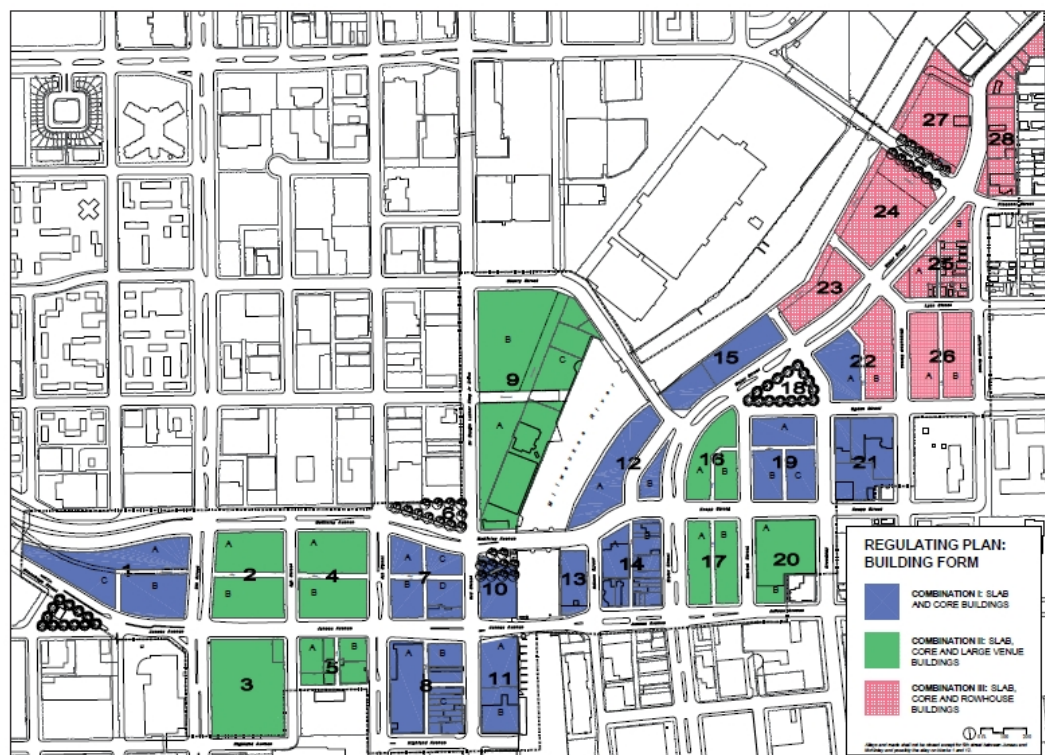
<http://city.milwaukee.gov/Zoning-Topics/Redevelopment-Zoning-RED/Park-East-Redevelopment-Plan/RED-Park-East-Zoning-District.htm#>.

Redevelopment Zoning (RED)

Example: RED Park East

CHAPTER TWO Regulating Plan

The Regulating Plan controls the overall form of streets, blocks and buildings to create the physical character envisioned in the Master Plan. Four building types (Rowhouse, Slab, Core, and Large Venue) are grouped in three different combinations. Each Block is coded to indicate the combination of building types allowed (Building Form Combination I, II, or III).



Redevelopment Zoning (RED)

Example: RED Beerline



<http://city.milwaukee.gov/Zoning-Topics/Redevelopment-Zoning-RED/Beerline-B-Redevelopment-Plan.htm#>.

10 - OVERLAY ZONES

- Neighborhood Conservation Overlay Zone
Example – Harambee, South Shore
- Interim Study Overlay Zone (Rarely use)
- Development Incentive Zone (DIZ)
- Site Plan Review Overlay Zone
Example - Milwaukee River



Neighborhood Conservation Overlay Zones

Intended to provide a vehicle to initiate and implement programs for the revitalization or conservation of older areas or districts possessing distinctive features, identity, or character worthy of retention and enhancement. Areas Zoned NC:

- Bay View / South Shore Drive Overlay
- Brewers Hill / Harambee Overlay
- Historic Mitchell Street Overlay

STRUCTURE OF THE ZONING CODE

The Brewery and Harambee Neighborhood Conservation Overlay District

DEVELOPMENT AND DESIGN STANDARDS FOR THE BREWERS HILL AND HARAMBEE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

Sub Area A (Harambee)			Sub Area B (Brewers Hill)			Standards and Guidelines
New Construction	Expansion	Exterior Renovation	New Construction	Expansion	Exterior Renovation	
X	n/a	n/a	X	X	X	
X	n/a	n/a	X	X	X	
X	n/a	n/a	X			
X	n/a	n/a	X	X	X	
X	n/a	n/a	X	X	X	
X	n/a	n/a	X			

1. Height – 40 feet and 2.5 stories maximum
– 30 feet and 1.5 stories minimum

2. Roof pitch –On new construction, the roof pitch must be between 8:12 and 12:12. (a roof's pitch is represented by rise and run. An 8:12 pitch is 8 inches of rise for every 12 inches of run, etc.). On expansions, the pitch of the new roof must be consistent with the existing roof pitches

3. Raised Basements -2.5 to 3 feet must be exposed at front

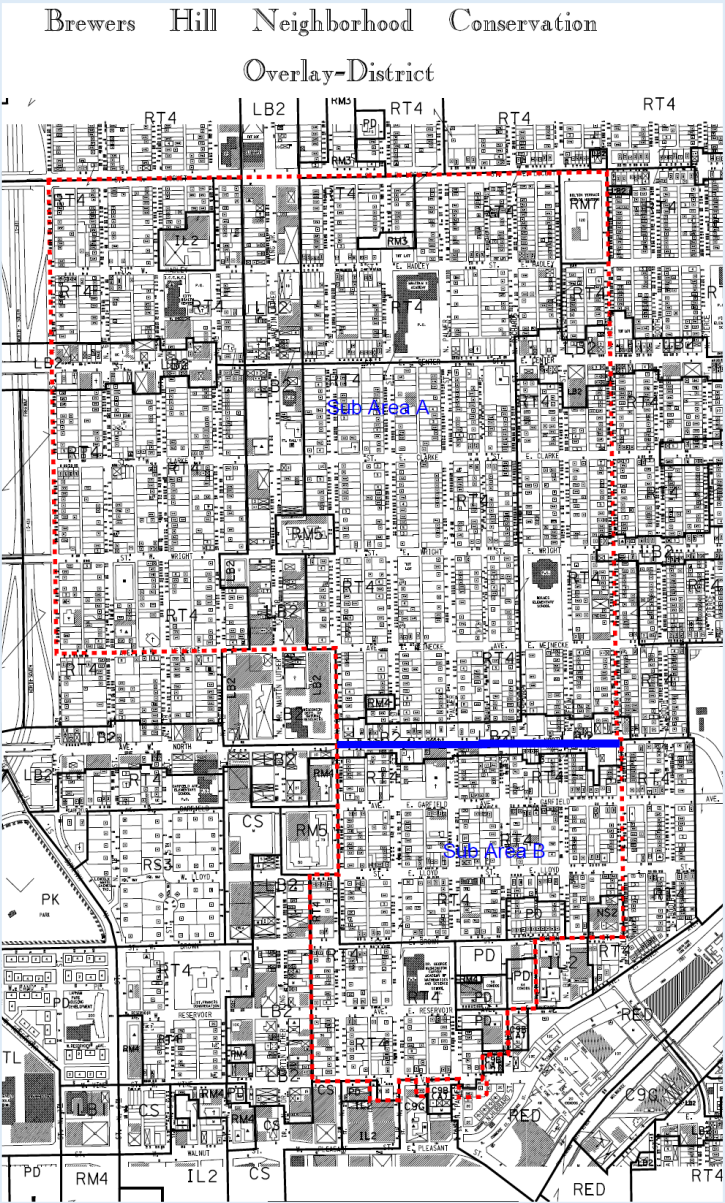
4. Front Porches – required on all building fronts
Minimum Width – 6 feet
Minimum Depth – 6 feet
Columns - Minimum Dimensions:
Square – 6 X 6 inches minimum
Round – 8-inch diameter minimum
Hand Rails – minimum 3 inches in height
Bottom Rails – minimum 1.5 inches in height
Baluster spacing – 3.5 inches center to center
Skirting – must be composed of "1 by "boards aligned vertically and with a minimum gap of 3/8 inches

5.Windows – all front facing windows must be oriented vertically and be a minimum of 5.5 feet high except for specialty windows, such as piano windows and gable end windows
Windows and/or doors may not be spaced more than 8 feet apart on a horizontal plane
Front gable ends must have an attic window

6. Garages – must be located in the rear yard and must use an alley for access if available

Site Features Residential Lots: the maximum width of any new parcel of land shall be 40 feet except if the parcel does not have alley access the maximum width shall be 50 feet.

Exclusions
The limitations on Site Features, and Residential Building Features shall not apply to buildings located in the following commercial zoning districts: Local Business (LB2), Commercial Service (CS) and Neighborhood Shopping (NS2). In addition, General and Detailed Planned Developments (PD and DPD) are excluded from Overlay District standards by ordinance



STRUCTURE OF THE ZONING CODE

Bay View / South Shore Neighborhood Conservation Overlay District

Exhibit C

Bay View/South Shore Neighborhood Conservation Overlay (NC)
Common Council File Number 051036

DEVELOPMENT AND DESIGN STANDARDS FOR THE BAYVIEW SOUTH SHORE DRIVE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

The following design standards apply to new construction and building additions for principal and accessory structures. Existing structures do not need to comply:

Item	Proposed Conservation Overlay District Provision	Current Zoning Code (RT-2 and RM-1)	Comment
Building Height	40 feet, maximum No flat roofs	45 feet, maximum	
Lot coverage, maximum	25%	Interior lot, 30% Corner lot, 40%	Currently most houses in district are less than 20%



Development Incentive Zones

- Provide opportunities to create new development projects which are more compatible with existing development on adjacent sites;
- Create a pedestrian-friendly environment in both design and scale;
- Encourage creativity, variety and excellence in project design and layout;
- Utilize a development review and approval process that meets these purposes without causing undue delays.

Existing Overlay Districts:

- | | |
|-------------------------------------|-------------------------------------|
| • 5th / Layton | • Loomis Centre |
| • 938 W Layton | • Midtown Center |
| • The Brewery Project | • North Ave Commerce Center |
| • East End Menomonee Valley | • Port of Milwaukee |
| • Holt Plaza | • Reed Street Yards |
| • Towne Corporate Park of Granville | • South 27th / Howard |
| | • Towne Corporate Park of Granville |

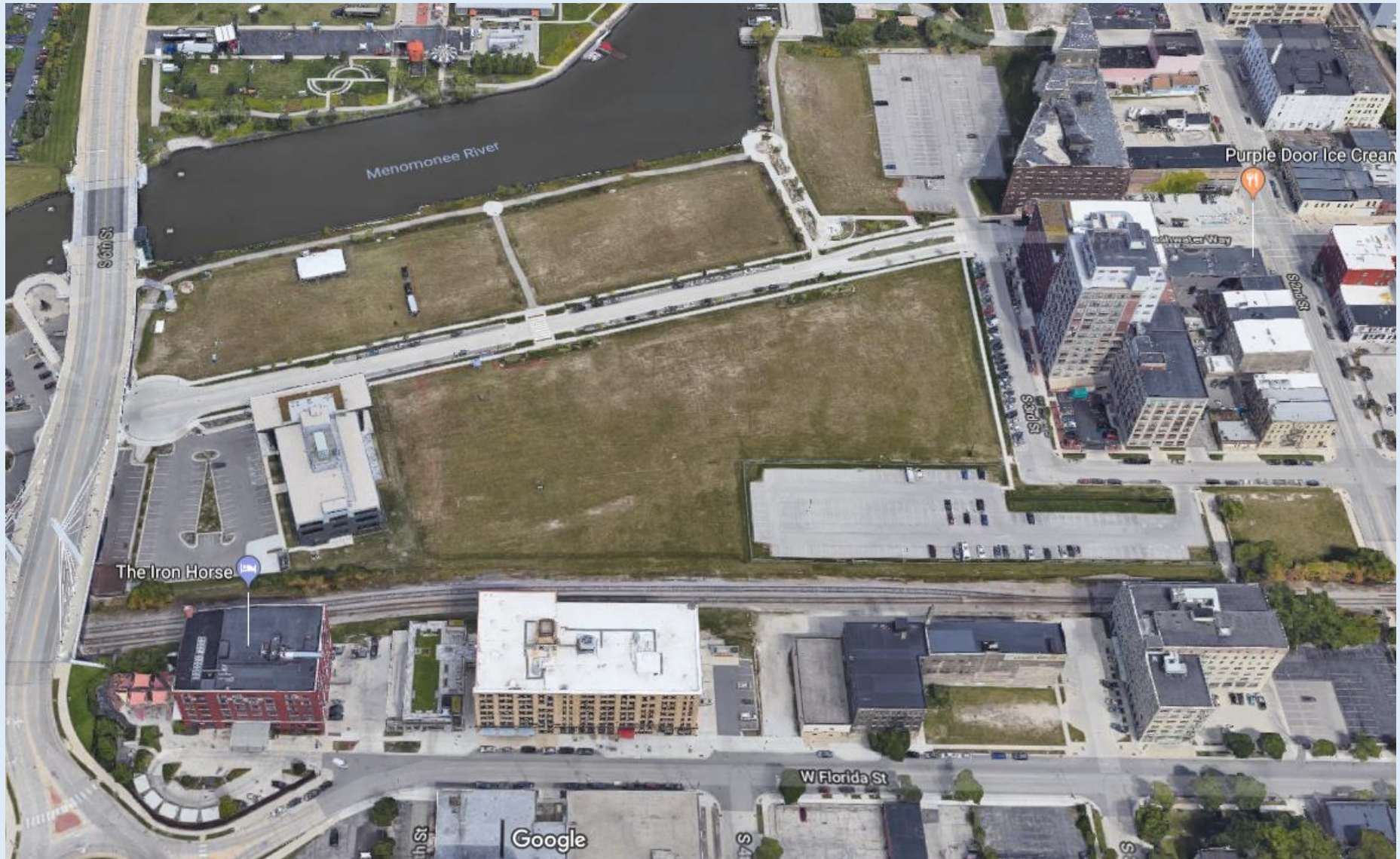
STRUCTURE OF THE ZONING CODE

Example: The Brewery - Development Incentive Zone



STRUCTURE OF THE ZONING CODE

Example: Reed Street Yards - Development Incentive Zone



STRUCTURE OF THE ZONING CODE

Example: Holt Plaza - Development Incentive Zone



Moving Your Project Forward

- Project is permitted or meets the Limited Use Standards – **Move forward**
- Project meets the Design Standards – **Move Forward**
 - Prepare the required plans and information, submit to DNS Plan Exam <http://city.milwaukee.gov/permits>

HOWEVER IF

- Project's Use is a **Special Use** or Project's Design Does **not meet** Design Standards Process

THEN: (next Slide)

BACKGROUND AND PROCESS

Project's Use is a Special Use or Project's Design **Does Not** meet Design Standards Process:

1 Board of Zoning Appeals (BOZA)

Special Uses

Special Use Criteria

Department Recommendations

Comprehensive Plans

Variances

**More about BOZA
on July 22nd!**

2 Zoning Change to different district or DPD

or

3 Modify Project

Sometimes minor adjustments to a plan of operation or adjustments to a design can bring the project into compliance, thus not adding more steps to the process

My MKE Home. Location to find out a property's zoning designation.

After retrieving address, open Special Interest tab at top.

<https://itmdapps.milwaukee.gov/MyMHome/index.jsp>

Map Milwaukee. Zoning Maps of the city, as well as complete property information. Scroll down to “Zoning” link.

<http://city.milwaukee.gov/mapmilwaukee/applications>

Zoning Code On-Line. DCD's quick links to the codes housed at City Clerk's Office

<http://city.milwaukee.gov/PlanningPermits/DCDzoninglink.htm>

Department of Neighborhood Services. A webpage of numerous helpful links.

<http://city.milwaukee.gov/permits> Phone contact with Zoning questions: 414-286-8211

DCD Planning Resource Pages. A webpage of numerous helpful links.

<http://city.milwaukee.gov/Planning>

City Clerk's Resources Page

<http://city.milwaukee.gov/cityclerk>

Legistar

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<https://milwaukee.legistar.com/Legislation.aspx>

LUNCH & LEARN

SUMMER SERIES

ZONING

Monday, June 11, 2018 - 12 p.m. - 1 p.m.

Learn the fundamentals of the zoning code, what uses are allowed and how to better navigate it.

- What is the purpose of zoning
- Structure of zoning code
- Resources for site specific info

